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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,299	03/29/2004	John C. Stark	2593/SPRI.110453	1802
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EXAMINER				
ARAGON, LORENZO C				
ART UNIT		PAPER NUMBER		
4157				
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03/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/812,299

Applicant(s)

STARK, JOHN C.

Examiner

LORENZO C. ARAGON

Art Unit

4157

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/29/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-85/86)
- Paper No(s)/Mail Date 03/29/2004.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - a. Page 3, paragraph [0010], line 2, redundant wording. Recommend deleting "**the lack of**" at start of line 2.
 - b. Page 10, paragraph [0041], line 3, "location **26**" is listed, but not supported in the drawings.
 - c. Page 10, paragraph [0041], lines 3-4, element 26 is used to identify both "location" and "transmitter." It appears applicant intended - **Transmitter 24** -.
 - d. Page 10, paragraph [0042], line 1, "server farm **28**" is listed, but not supported in the drawings.
 - e. Page 11, paragraph [0048], line 2, "television 32" should be - television **42** -.
 - f. Page 12, paragraph [0052], line 1, "Camera 42" should be - Camera **44** -.
 - g. Page 16, paragraph [0067], line 8, "**her.**" Recommend deleting or correcting.
 - h. Appropriate correction is required.

Drawings

2. The drawings are objected to because they include the following reference characters not mentioned in the description:
 - a. **40 of Fig. 2.**
 - b. **94 and 95 of Fig. 3.**

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

26 and 28 of Fig. 1.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. **Claim 24 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.**

The claim contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification fails to provide sufficient information to determine the meaning of **intelligent functions**. For purposes of art rejection, examiner interprets intelligent functions to mean what is known in the art as "trick function (e.g. pause, rewind, etc.)."

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding Claim 24, "said set-top box to perform intelligent functions" has no antecedent basis. For purposes of art rejection, examiner interprets intelligent functions to mean what is known in the art as "trick function (e.g. pause, rewind, etc.)."

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-8, 12-20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perlman, U.S. Patent Publication 2004/0110468 A1.

a. Regarding Claim 1, Perlman discloses a system for accessing video data via satellite and wireless signals (page 2, paragraph [0027], lines 2-10), comprising:

a satellite signal receiver (FIG. 6, element 30);

a wireless signal receiver (FIG. 6, element 30); and

a display device for viewing video programming derived from at least one of said satellite and wireless signals (FIG. 6, element 26. Although Perlman is silent on viewing video programming derived from either satellite or wireless signals, it would have been obvious and necessitated in Perlman that either the satellite signals or wireless signals be displayed.

b. Regarding Claim 2, Perlman discloses a system wherein said wireless signal receiver is adapted to be included in a CDMA network (page 3, paragraph [0035], lines 1-6. Although Perlman does not explicitly disclose a CDMA network, his invention

discloses operating in compliance with spread spectrum standards that would meet the claimed limitations.).

c. Regarding Claim 3, Perlman discloses a wireless signal receiver comprises a first wireless interface (FIG. 3, elements 77 and 71, and page 2, paragraph [0031], lines 5-7.).

d. Regarding Claim 4, although Perlman does not disclose a first wireless interface comprised of an aircard, his invention implements a functional equivalent to achieve the same results as an aircard (FIG. 3, elements 77 and 71, and page 2, paragraph [0031], lines 5-7.).

e. Regarding Claim 5, although Perlman does not disclose a system wherein said aircard is a Type-II PCMCIA card, his invention discloses the options of using a PC card or a PCI card that is IEEE 802.11x compliant to enable wireless reception (page 3, paragraph [0038], lines 1-10).

f. Regarding Claim 6, although Perlman does not explicitly disclose an aircard cooperating with a video card and a scan converter to convert said wireless signal into a first analog signal which will be recognizable by a television, Perlman discloses a functional equivalent process to accomplish similar results (page 7, paragraph [0080], lines 8-12.).

g. Regarding Claim 7, Perlman discloses a computing device having a memory component and a processing component, said computing device being accessible through said first wireless interface (page 5, paragraph [0054], lines 1-3).

h. Regarding Claim 8, Perlman discloses a computing device having a memory component and a processing component, said computing device being accessible through a second wireless interface (page 5, paragraph [0059], lines 7-11. Examiner interprets the computing device mentioned in this claim to be the same computing device claimed in Claim 7).

i. Regarding Claim 12, although Perlman does not explicitly disclose a second wireless interface that includes a wireless networking card, Perlman discloses a functional equivalent process to accomplish similar results (page 5, paragraph [0053], lines 1-3).

j. Regarding Claim 13, Perlman discloses a system wherein said wireless networking card creates a wireless local area network (page 5, paragraph [0053], lines 1-3.)

k. Regarding Claim 14, Perlman discloses wherein said wireless local area network is one of a 802.11b and a 802.11g local area network (page 3, paragraph [0035], lines 1-6).

l. Regarding Claim 15, Perlman discloses a system wherein satellite signal receiver and wireless signal receiver are both included in a set-top box (FIG. 6, element 30 and page 4, paragraph [0049], lines 3-6).

m. Regarding Claim 16, it has been analyzed and rejected for the same reasons set forth in the rejections of Claim 1 and Claim 15 above and because the scope of the claim is similar.

n. Regarding Claim 17, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 2 above and because the scope of the claim is similar.

o. Regarding Claim 18, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 4 above and because the scope of the claim is similar.

p. Regarding Claim 19, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 5 above and because the scope of the claim is similar.

q. Regarding Claim 20, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 6 above and because the scope of the claim is similar.

r. Regarding Claim 22, Perlman discloses a set top box for a television (FIG. 6, element 30) comprising:

a first wireless interface for receiving data files via a digital wireless signal comprising a video program (FIG. 6, element 30);

a convening system for convening said digital wireless signal into analog so that the video program may be viewed on a television (page 7, paragraph [0080], lines 8-12.).

s. Regarding Claim 23, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 2 above and because the scope of the claim is similar.

t. Regarding Claim 24, Perlman discloses a set-top box (FIG. 6, element 30) comprising:

a second wireless interface for accessing a computing device having a memory component and a processing component (page 5, paragraph [0059], lines 7-

11) for enabling said set-top box to perform intelligent functions (page 5, paragraph [0056], lines 1-4).

10. Claims 9-11, 21, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perlman in view of Parker et al., U.S. Patent Publication 2003/0234804.

a. Regarding Claim 9, Perlman does not teach a wireless keyboard for interfacing with said computing device through said second wireless interface. However, Parker discloses a user interface system for operating a computer from a distance (Parker, page 1, paragraph [0052], lines 1-5). Parker discloses the flexibility to receive a variety of wireless signals.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Perlman with Parker's to establish a wireless interface to a computer. The ability to interface wirelessly would have been a highly desirable feature.

b. Regarding Claim 10, Perlman does not teach a wireless mouse for interfacing with said computing device through said second wireless interface. However, Parker discloses a user interface system for operating a computer from a distance (Parker, page 1, paragraph [0052], lines 1-5). Parker discloses the flexibility to receive a variety of wireless signals.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Perlman with Parker's to establish a wireless interface to a computer. The ability to interface wirelessly would have been a highly desirable feature.

c. Regarding Claim 11, Perlman does not teach a wireless camera for interfacing with said computing device through said second wireless interface enabling video telephony. However, Parker discloses a user interface system for operating a computer from a distance (Parker, page 1, paragraph [0052], lines 1-5). Parker discloses the flexibility to receive a variety of wireless signals.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Perlman with Parker's to establish a wireless interface to a computer. The ability to interface wirelessly would have been a highly desirable feature.

d. Regarding Claim 21, it has been analyzed and rejected for the same reasons set forth in the rejections of Claims 8-11 above and because the scope of the claim is similar.

e. Regarding Claim 25, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 9 above and because the scope of the claim is similar.

f. Regarding Claim 26, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 10 above and because the scope of the claim is similar.

g. Regarding Claim 27, it has been analyzed and rejected for the same reasons set forth in the rejection of Claim 11 above and because the scope of the claim is similar.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. U.S. Patent No. 6,842,617 B2 to Williams et al., discloses wireless communication system devices that use radio frequencies for transmitting and receiving voice and data signals within an internal communications network and to an external communication networks.

a. U.S. Patent Application Publication No. 2004/0125820 A1, to Rios, relates to the field of wireless networking communications between computing devices.

Contact Info

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LORENZO C. ARAGON whose telephone number is (571)270-3727. The examiner can normally be reached on 8:00 AM - 10:00 PM M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lorenzo C. Aragon/
Examiner, Art Unit 4157

/Vu Le/
Supervisory Patent Examiner, Art Unit 4157